

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:09-CR-187-FL-2

UNITED STATES OF AMERICA,

v.

CHRISTIAN TOBIAH MURRAY

ORDER

Before the Court for consideration is Defendant Christian Murray's Notice of Defendant's Objection to Proposed Recharacterization as 28 U.S.C. § 2255 Motion. Therein, Defendant states he does not agree to the Court's proposal that his January 8, 2012 letter be recharacterized as a § 2255 motion.

The Court finds that the Defendant has timely objected to the proposed recharacterization. Therefore, the Defendant's January 8, 2012 letter will not be recharacterized as a 28 U.S.C. § 2255 motion. Instead, the Court finds that the Defendant's January 8, 2012 letter should be construed as a request for the appointment of counsel pursuant to Standing Order 11-SO-3.

The Court finds that counsel has now been appointed for Defendant pursuant to Standing Order 11-SO-3, as well as Standing Order 11-SO-1. Therefore, Defendant's request for the appointment of counsel is DENIED AS MOOT.

SO ORDERED this the 32^y day of Oc{, 2012.

/s/ Louise W. Flanagan
LOUISE W. FLANAGAN
United States District Judge